



FOLEY & LARDNER LLP

ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

RECEIVED
CENTRAL FAX CENTER

DEC 08 2006

FACSIMILE TRANSMISSION

Total number of pages, including this cover sheet: 6 pages

TO:	PHONE #:	FAX #:
Examiner Louis D. Lieto U.S. Patent and Trademark Office Art Unit 1632	(571) 272-2932	(571) 273-8300

From : Stacy L. Taylor
Email Address : staylor@foley.com
Sender's Direct Dial : 858.847.6720
Date : December 8, 2006
Client/Matter No : 041673-2115

MESSAGE:

U.S. Patent Application No. 10/748,337

Following is:

- 1) Request for Continued Examination (4 pgs.); and
- 2) Credit Card Payment Form (1 pg.).

If there are any problems with this transmission or if you have not
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Rachel Caputo
-----------	------------	--------------------------------------

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

DLMR_289871.1

RECEIVED
CENTRAL FAX CENTER
DEC 08 2006

Atty. Dkt. No. 041673-2115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tuszynski, Mark H.
Title: METHODS FOR THERAPY
OF
NEURODEGENERATIVE
DISEASE OF THE BRAIN
Appl. No.: 10/748,337
Appl. Filing Date: 12/29/2003
Examiner: Lieto, Louis D.
Art Unit: 1632

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Rachel Caputo (Printed Name) <i>Rachel Caputo</i> (Signature) December 8, 2006 (Date of Deposit)
--

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)**a. Previously submitted:**

12/11/2006 TL0111 00000016 10748337

01 FC:2801
02 FC:2251395.00 OP
60.00 OP

-1-

DLMR_291742.1

Atty. Dkt. No. 041673-2115

☒ Please enter and consider the amendment and/or reply previously filed on October 16, 2006.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on __.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of __ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	14	- 20	= 0	x \$50.00	= \$0.00
Independents	1	- 3	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00

RECEIVED
CENTRAL FAX CENTER
DEC 08 2006

Atty. Dkt. No. 041673-2115

CLAIMS FEE TOTAL: = \$790.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$120.00	1	\$120.00
[] Extension for response filed within the second month:	\$450.00		\$0.00
[] Extension for response filed within the third month:	\$1,020.00		\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$120.00
EXTENSION FEE ALREADY PAID: -			\$0.00
EXTENSION FEE TOTAL			\$120.00
CLAIMS AND EXTENSION FEE TOTAL:			\$910.00
[X]	Small Entity Fees Apply (subtract ½ of above):		\$455.00
[]	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:			\$455.00

A credit card payment form in the amount of \$455.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Atty. Dkt. No. 041673-2115

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 12-8-2006

By Stacy L. Taylor

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6720
Facsimile: (858) 792-6773

Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842